

UNITED STATES DISTRICT COURT  
for the  
Eastern District of Michigan

United States of America

v.

Mariah Shardia Hayes,

Case: 4:23-mj-30011

Assigned To : Ivy, Curtis, Jr

Assign. Date : 1/12/2023

Description: IN RE SEALED MATTER (kcm)

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 7/9/21, 7/31/21, 9/19/21, 1/15/22, & 3/16/22 in the county of Genesee in the  
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description***18 U.S.C. § 924(a)(1)(a)****Knowingly made false representations on the ATF Form 4473**

This criminal complaint is based on these facts:

That on July 09, 2021, July 31, 2021, August 19, 2021, January 15, 2022, and March 16, 2022, Mariah Shardia Hayes, knowingly made false representations related to whether she was the actual buyer/transferee of the firearms on ATF Form 4473 when purchasing the respective firearms on the above dates, in violation of Title 18 U.S.C. § 924(a)(1)(a).

☒ Continued on the attached sheet.

  
*Complainant's signature*

Nathan Sutara, Special Agent, ATF

*Printed name and title*

Sworn to before me and signed in my presence and/or by  
reliable electronic means.

Date: January 12, 2023

City and state: Flint, MI



*Judge's signature*

Curtis Ivy, Jr., United States Magistrate Judge

*Printed name and title*

**AFFIDAVIT**

I, Nathan Sutara, being duly sworn, depose and state the following:

**INTRODUCTION AND AGENT BACKGROUND**

1. I have been employed as a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) since May 2018. I am currently assigned to the Detroit, Michigan Field Division, Flint Field Office. I am tasked with investigating violations of firearms and narcotics laws. Before working with ATF, I was employed by the Michigan Department of State Police (MSP) for approximately 5 years. I held several positions with MSP, including Detective/Trooper with the Major Case Unit in Saginaw, Michigan. During this employment, I investigated numerous incidents involving robberies, shootings, and homicides as well as violations of state and federal firearms laws.

2. I make this affidavit from personal knowledge based on my participation in this investigation, my review of reports and other materials prepared by those who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience. The information outlined below is provided for the limited purpose of establishing probable cause and does not contain all details or all facts of which I am aware relating to this investigation.

3. Based on the facts below, I believe that on July 09, 2021, July 31, 2021, August 19, 2021, January 15, 2022, and March 16, 2022, Mariah Shardia Hayes (XX/XX/1999), knowingly made false representations related to whether she was the actual buyer/transferee of the firearms on ATF Form 4473 when purchasing the respective firearms on the above dates, in violation of Title 18 U.S.C. § 924(a)(1)(a).

### **PROBABLE CAUSE**

4. On December 23, 2022, Flint Township Police were dispatched to 3381 Clovertree Lane for a report of a shooting. Upon their arrival, officers found Mikwannza Jamichael Harris deceased in the driveway leading to 3381 Clovertree Lane. A second victim, Dericko David Hitchye, was reported to be at Hurley Medical Center with a gunshot wound to his left shoulder and left hand.

5. Per the Flint Township Police report, on December 23, 2022, Dericko Hitchye, his girlfriend Orion Marie Bilicki, and their daughter, Lavayah Bailey, went to Clovertree Apartments. They planned to meet with Mikwannza Harris, a.k.a. “Mike” in order to sell him Xanax pills. Upon their arrival, Harris entered the vehicle in the passenger rear door; the door did not secure closed. Harris then pointed a gun at Hitchye and demanded the pills. Hitchye, in fear for his life and that of Bilicki and their daughter, retrieved his firearm from the driver door. There was then an exchange of gunfire which resulted in, Hitchye receiving gunshot wounds to his left

hand and shoulder and Harris receiving gunshot wounds to his chest and head. Hitchye then began to drive to Hurley Medical Center, and as he was driving, the body of Harris fell out of the vehicle in the driveway of Clovertree Apartments. Hitchye arrived at Hurley Medical Center and received treatment.

6. Flint Township Police responded to Hurley Medical Center and recovered two firearms from the vehicle Hitchye drove. The first firearm, recovered from the driver seat, was a Springfield Armory, XD9, pistol which was registered to the victim, Dericko Hitchye.

7. The second firearm, recovered from the backseat where the robbery suspect, Mikwannza Harris, was sitting, was a Glock, model 17, 9mm pistol bearing S/N: BTMY207. A LEIN query of the firearm was conducted and came back as registered to Mariah Hayes. Further, additional checks revealed Hayes purchased this firearm from Mega Pawn #2 of Flint on January 15, 2022.

8. It should be noted, Mariah Hayes was not listed in any report, nor is she believed to be associated with anyone involved with this shooting/homicide.

9. In January 2023, I conducted a query of all firearms registered to Hayes. At that time, I noted Hayes has eight (8) firearms registered to her, all being pistols.

10. While conducting additional checks into Hayes and her firearm purchases, I discovered Hayes purchased five (5) additional pistols that were never

registered with the State of Michigan. This brings the total amount of firearms purchased by Hayes to be at least 13.

11. The following are the firearms purchased by Hayes:

Firearm #	Make/Model/Caliber	Serial Number	Purchase Date	Recovery Date	Registered to Hayes?
1	DBK, DB15, .556	DB2468101	5/17/2021		Yes
2	Glock, 19, 9mm	BTRU113	6/21/2021	04/15/22 (335 Days)	Yes
3	FNB, Five-Seven, 57	386397427	6/21/2021	11/13/21 (145 Days)	Yes
4	Glock, 19, 9mm	BTXP454	07/09/2021	02/08/22 (214 Days)	NO
5	FNB, Five-Seven, 57	386339076	7/21/2021		Yes
6	Glock, 22, .40	BTEP699	7/31/2021	7/6/22 (340 Days)	Yes
7	TAS, G2C, 9mm	ACD795689	8/19/2021		Yes
8	Glock, 23, 40	BSYL330	8/19/2021	10/08/21 (50 Days)	NO
9	Glock, 19X, 9mm	BUCB338	8/19/2021	08/01/22 (347 Days)	NO
10	Glock, 23, .40	BSYL460	08/24/2021		NO
11	Glock, 17, 9mm	BTMY207	1/15/2022	12/23/22 (342 Days)	Yes
12	Glock, 17, 9mm	BTMN595	3/16/2022	04/08/22 (23 Days)	NO
13	Glock 19, 9mm	BGZR010	6/21/2022		Yes

**\*\*Those highlighted in yellow denote firearms recovered by police (8).**

12. As can be seen above, the first firearm purchased and registered to Hayes was on May 17, 2021. The last firearm known to have been purchased by Hayes was on June 21, 2022.

13. As an ATF agent, I have received training related to “red flags” or other indications of firearm trafficking. Based on my training, I know when an individual purchases a high quantity of firearms in a short period of time, it is an indicator of firearm trafficking.

14. While continuing my investigation into firearms purchased by Hayes, I noted eight (8) of the 13 firearms have been recovered by various police departments, including the Glock pistol mentioned in paragraph 7 (Firearm number 11 on the above table).

15. I then began to review police reports from the recovered firearms. The following paragraphs detail the firearm recoveries made by police.

**Firearm #2 - Glock, Model 19, 9mm pistol**

16. On August 3, 2021, Sergeant (Sgt.) VanLente of the Flint Township Police Department (FTWP) responded to a loitering complaint at the empty parking lot on Beecher Road at Calkins Avenue. Upon arrival there were approximately 15 to 20 vehicles and multiple people playing loud music, yelling, and screaming. Sgt. VanLente observed a dark gray Dodge Charger, which he recognized as a vehicle that fled from a traffic stop several weeks prior. There were several people standing around the vehicle as Sgt. VanLente and Officer (Ofc.) Dieck approached. Sgt. VanLente recognized the driver as the same suspect that previously ran from him

and positively identified him as Dequan Camyree Chandler. Sgt. VanLente recognized a second male as Amarieon Jarell Embury. The vehicle had a flat tire and Ofc. Henry observed a handgun that was directly under the Dodge Charger. The firearm was recovered and identified as a Glock, Model 19, 9mm pistol bearing S/N: BTRU113 (Firearm #2 from the table above). A LEIN check of the firearm showed it was registered to Mariah Shardia Hayes. Mariah Hayes was not on scene. Chandler and Embury denied the firearm belonged to them, there were multiple people standing around the vehicle, and it was not determined who put the firearm under the vehicle.

**Firearm #8 - Glock, model 23, .40 caliber pistol**

17. On October 08, 2021, a Flint Police officer driving in an unmarked police vehicle observed a 2016 Jeep Compass, white in color, bearing MI/Registration: ECU 3953 driving north on Ballenger approaching Sunset Blvd within the city of Flint. While behind this vehicle, the Flint Police officer observed two male occupants making gestures with their hands as though they were shooting firearms. Additionally, the driver was observed throwing a cigar tip from the driver's window. As a result, the unmarked Flint Police officer requested a marked unit to conduct a traffic stop on this vehicle.

18. Subsequent the traffic stop, Flint police contacted the driver, Tyrone

Sharon Carson. Carson was found to be driving without a license and was placed into custody for this misdemeanor offense.

19. Flint police then contacted the other occupants of the vehicle, identified as Keith Sheared and Keviontae Kendrick. As they were exiting the vehicle, Flint police observed a firearm at Sheared's feet, as well as a Glock, model 23, .40 caliber pistol bearing S/N: BSYL330 with an extended magazine at Kendrick's feet. The driver, Carson, and the rear passenger Kendrick were ultimately lodged at the Genesee County Jail on weapons charges. Sheared provided a valid CPL to police, but stated none of the firearms were his.

20. When conducting additional checks on all firearms recovered, it was discovered the Glock, model 23, .40 caliber pistol bearing S/N: BSYL330 (Firearm # 8 from the above list) was not registered, but was purchased by Mariah Hayes from Williams Gun Sight on August 19, 2021.

21. It should be noted, Michigan Compiled Law 28.422 subsection (5) requires the purchaser of a pistol to register it with the State of Michigan. Per the statute, "If an individual purchases or otherwise acquires a pistol, the seller shall fill out the license forms describing the pistol, together with the date of sale or acquisition, and sign his or her name in ink indicating that the pistol was sold to or otherwise acquired by the purchaser. The purchaser shall also sign his or her name



in ink indicating the purchase or other acquisition of the pistol from the seller. The seller may retain a copy of the license as a record of the transaction. The purchaser shall receive 2 copies of the license. The purchaser shall return 1 copy of the license to the licensing authority within 10 days after the date the pistol is purchased or acquired. The return of the copy to the licensing authority may be made in person or may be made by first-class mail or certified mail sent within the 10-day period to the proper address of the licensing authority. *A purchaser who fails to comply with the requirements of this subsection is responsible for a state civil infraction and may be fined not more than \$250.00.* If a purchaser is found responsible for a state civil infraction under this subsection, the court shall notify the department of state police of that determination.”

**Firearm #3 - FN, model Five-Seven, 57 caliber pistol**

22. On November 14, 2021, Deputy Fachting and Deputy Beagle of the Genesee County Sheriff Office (GCSO) conducted a traffic stop near Eldorado Dr. and Flushing Rd. for violations of the Michigan Motor Vehicle Code. Deputies observed suspected marijuana and a large amount of money on the console next to the driver. Deputies noted a strong odor of burnt marijuana and smoke coming from the vehicle. The driver was identified as Lawrence Dell Crawford III. The front passenger was identified as Antwane Love and was released to his mother on the

scene. The rear passenger was identified as Valentae Armond Washington. Upon conducting an inventory search of the vehicle, an unloaded firearm was located in a backpack which was in the backseat to the right of Valentae Washington. The loaded magazine was located under the driver seat. The firearm was a FN, model Five-Seven, 57 caliber pistol bearing S/N: 386397427 (Firearm #3 from the table above). A LEIN query of the firearm was conducted and came back as registered to Mariah Shardia Hayes. Additional suspected marijuana was discovered in another backpack in the backseat with cash and a scale. Deputy Fachting recovered another firearm in the trunk of the vehicle; however this firearm was not related to Hayes.

**Firearm #4 - Glock, model 19, 9mm pistol**

23. On February 08, 2022, the Flint Area Narcotics Group (FANG) executed a search warrant at the address of 1811 Park Forest Drive, Flint, MI. This search warrant was obtained pursuant to an ongoing narcotics trafficking case. Pursuant to the execution of the search warrant, officers/Troopers assigned to FANG located a quantity of suspected cocaine and fentanyl, approximately \$5,003 in U.S. currency, and two pistols. One of the pistols seized was a Glock, model 19, 9mm pistol bearing S/N: BTXP454 (Firearm #4 from the above list).

24. When conducting a LEIN check of this pistol, it was found to be unregistered with the State of Michigan. Additional checks revealed this pistol was

purchased by Hayes on July 09, 2021 from Williams Gun Sight.

**Firearm #12 - Glock, model 17, 9mm pistol**

25. On April 08, 2022, Flint Police obtained a search warrant for the residence 1902 Shamrock Lane, Flint, MI. This search warrant was sought and obtained related to previous shootings that occurred within the city of Flint. During the execution of the search warrant, Flint Police located a Glock, model 17, 9mm pistol bearing S/N: BTMN595 (Firearm #12 from the above table). This pistol was found in the southeast bedroom, under a mattress.

26. Additional queries of this recovered firearm revealed it was unregistered with the State of Michigan, but it was purchased by Mariah Hayes on March 16, 2022 at Guns Galore Inc located at 1414 N Leroy Street, Fenton, MI. When reviewing the Flint Police report from this search warrant, Hayes was not listed as being present at this residence, nor is her listed address 1902 Shamrock Lane Flint. MI.

**Firearm #6 - Glock, model 22, .40 caliber pistol**

27. On July 6, 2022, Officer Finnerty of the Mt. Morris Township Police Department (MMTP) conducted a traffic stop On Hilton Lane near O'Brien Street. As the vehicle was pulling to the side of the road, the passenger door opened abruptly, and a male emerged from the vehicle and began to run eastbound through

an open field. Ofc. Finnerty observed the male running, turn, and throw a gun and another object from his body. The male then jumped fences to the east and continued to run away from the traffic stop. The driver stayed in the vehicle and was identified as Tyriek Sincere Robinson. Robinson stated that he did not know the male's name and only knew him by his street name, "Oscar." Additional police arrived and conducted an area check for the unknown male suspect; however, the suspect was never located. The firearm that was observed to be thrown by the suspect was recovered and identified as a Glock, model 22, .40 caliber pistol, bearing S/N: BTEP699 (Firearm # 6 from the table above). The firearm was loaded with a live round in the chamber and an extended magazine inserted. A second magazine was recovered from the scene which was the same caliber as the firearm.

28. A LEIN query of the firearm was conducted and came back as registered to Mariah Shardia Hayes. Additional queries revealed this firearm was purchased on July 31, 2021 from Mega Pawn #1 of Flint.

**Firearm #9 - Glock, model 19x, 9mm pistol**

29. Finally, on August 01, 2022, Flint Police responded to 2303 Brookside Drive in reference to a call for a person with a gun. Upon their arrival, multiple individuals began running to vehicles and leave the area at a high rate of speed. Five additional males were seen walking behind two vehicles still in the area. As Flint

Police attempted to contact these individuals, one of the males was seen throwing a firearm behind a tree. At that, the males all stopped and were detained by Flint Police.

30. While searching the area further, Flint Police located a Glock, model 19x, 9mm pistol bearing S/N: BUCB338 loaded with one round in the chamber and 23 rounds in an extended magazine.

31. When conducting additional checks on all firearms recovered, it was discovered the Glock, model 19x, 9mm pistol bearing S/N: BUCB338 (Firearm #9 from the above list) was not registered, but was purchased by Mariah Hayes from Williams Gun Sight on August 19, 2021.

32. It should be noted, none of the individuals detained by Flint Police were Mariah Hayes, nor did they appear to be associated with her.

33. As a result of the above information, ATF is now investigating Hayes for various crimes related to trafficking of firearms.

34. When reviewing the recovered firearms, I noted of the eight (8) recovered firearms, one (1) firearm had a time-to-crime of 23 days, and the remaining firearms had a time-to-crime of less than one (1) year.

35. “Time-to-crime” is the amount of time between the retail sale of a firearm by a federal firearms licensee (FFL) and its recovery by law enforcement.

ATF considers a time-to-crime of less than 3 years as a potential indicator of trafficking. I know that firearms have lasting value and that most firearm enthusiasts and collectors hold on to them for long periods of time. Therefore, where a firearm is purchased from an (FFL) and is recovered shortly thereafter, it's likely the firearm was purchased to facilitate a crime.

36. Hayes completed an ATF Form 4473 with respect to firearms 4, 6, 8, 9, 11, & 12 from the table above.

37. ATF Form 4473 is required to be completed when a person proposes to purchase a firearm from a Federal Firearms License (FFL) holder, such as a gun dealer. The form contains the purchaser's name, address, date of birth, government-issued photo ID, National Instant Criminal Background Check System (NICS) background check transaction number, and a short affidavit stating that the purchaser is eligible to purchase firearms under federal law. It also contains the make, model, or serial numbering the firearm. Lying on the form is prohibited under 18 U.S.C. § 924(a)(1)(A).

38. As part of this form, the transferee/buyer certifies they are purchasing the firearm for him/herself (question 21.a).

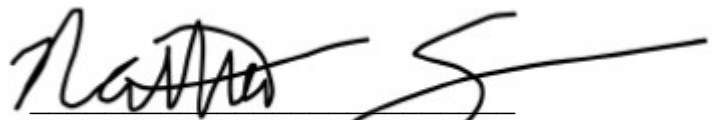
39. The form (question 22) also explains and requires certification the transferee/buyer is aware that "the repetitive purchase of firearms for the purpose of

resale for livelihood and profit without a Federal firearms license is a violation of Federal law. I am aware that under 18 U.S.C. § 922(a)(1) it is unlawful for a person to engage in the business of dealing in firearms without a license.”

40. At the conclusion of the form, the transferee/buyer must personally complete and certify (sign and date) that the answers provided are true, correct, and complete.

### **CONCLUSION**

41. Based upon all of this information, I have probable cause to believe that on July 09, 2021, July 31, 2021, August 19, 2021, January 15, 2022, and March 16, 2022, Mariah Shardia Hayes (XX/XX/1999), knowingly made false representations related to whether she was the actual buyer/transferee of the firearms on ATF Form 4473 when purchasing firearms on the above dates, in violation of Title 18 U.S.C. § 924(a)(1)(a).



Nathan Sutara, Special Agent  
Bureau of Alcohol, Tobacco, Firearms &  
Explosives

Sworn to before me and signed in my presence and/or by reliable electronic means on this 12<sup>th</sup> day of January, 2023.



Hon. Curtis Ivy, Jr.  
UNITED STATES MAGISTRATE JUDGE